

**FILED**

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

OCT 18 2019

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

NIMESH PATEL, Individually and on  
Behalf of All Others Similarly Situated; et  
al.,

Plaintiffs-Appellees,

v.

FACEBOOK, INC.,

Defendant-Appellant.

No. 18-15982

D.C. No. 3:15-cv-03747-JD  
Northern District of California,  
San Francisco

**ORDER**

Before: GOULD and IKUTA, Circuit Judges, and PEARSON,\* District Judge.

Judge Gould and Judge Ikuta voted to deny the petition for rehearing en banc and Judge Pearson so recommended. The petition for rehearing en banc was circulated to the judges of the court, and no judge requested a vote for en banc consideration.

The petition for rehearing en banc is DENIED.

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\* The Honorable Benita Y. Pearson, United States District Judge for the Northern District of Ohio, sitting by designation.